

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JERRY PINNELL, JEREMY FERNANDEZ)
AND SHANE PERRILLOUX, individually)
and on behalf of all others similarly situated,)

Plaintiffs,)

v.)

TEVA PHARMACEUTICALS USA, INC.,)
BOARD OF DIRECTORS OF TEVA)
PHARMACEUTICALS USA, INC., TEVA)
PHARMACEUTICALS USA, INC.)
INVESTMENT COMMITTEE, and JOHN)
AND JANE DOES 1-30.)

Defendants.)

**CIVIL ACTION NO.:
2:19-CV-05738-MAK**

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, PRELIMINARY CERTIFICATION OF SETTLEMENT
CLASS, APPROVAL OF CLASS NOTICE AND
SCHEDULING OF A FAIRNESS HEARING**

Plaintiffs Jerry Pinnell, Jeremy Fernandez, and Shane Perrilloux (collectively “Plaintiffs”), participants in the Teva Pharmaceuticals Retirement Savings Plan (the “Plan”), respectfully submit the Unopposed Motion for Preliminary Approval of the Class Action Settlement, Preliminary Certification of Settlement Class, Approval of Class Notice, and Scheduling of a Fairness Hearing (“Motion for Preliminary Approval”) and respectfully move this Court for an Order (1) granting preliminary approval to the proposed Settlement Agreement entered into with Defendants¹ (the “Settlement” or “Settlement Agreement”), (2) preliminarily certifying the Settlement Class, (3) approving the form and manner of providing notice of the Settlement to the proposed Settlement

¹ “Defendants” refers, collectively, to Teva Pharmaceuticals USA, Inc. (“Teva”), Board of Directors of Teva Pharmaceuticals USA, Inc. (“Board”), and Teva Pharmaceuticals USA, Inc. Investment Committee (“Committee”) (collectively, the “Defendants”).

Class (the “Notice Plan”), and (4) scheduling a Fairness Hearing. In support of the unopposed motion, Plaintiffs have submitted a declaration and memorandum of law contemporaneously.

For the reasons set forth in the accompanying memorandum of law, Plaintiffs submit the proposed Settlement is fair, reasonable, and adequate. Additionally, the proposed Settlement Class satisfies the requirements of Federal Rule of Civil Procedure 23(a) and (b)(1), thereby warranting preliminary certification for the purposes of this Settlement. Moreover, the Notice Plan satisfies the requirements of due process and is consistent with such Notice Plans as utilized in analogous actions. Accordingly, Plaintiffs respectfully submit preliminary approval of the Settlement should be granted, the Settlement Class should be preliminarily certified, the Notice Plan should be approved, and a Fairness Hearing should be scheduled.

A Proposed Order is submitted hereto.

DATED: November 18, 2020

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

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